

**APPROVED** BY THE BOARD  
AT ITS MEETING HELD ON  
AUGUST 10, 2018 *dlw*

**MEETING MINUTES  
BOARD OF LAND AND NATURAL RESOURCES**

DATE: FRIDAY, MAY 25, 2018  
TIME: 9:30 A.M.  
PLACE: KALANIMOKU BUILDING  
LAND BOARD CONFERENCE ROOM 132  
1151 PUNCHBOWL STREET  
HONOLULU, HAWAI'I 96813

**MEMBERS**

Suzanne Case  
Christopher Yuen  
Stanley Roehrig  
Tommy Oi

Jimmy Gomes  
Sam Gon  
Keone Downing

**STAFF**

Russell Tsuji-Land  
Curt Cottrell-Parks  
Ed Underwood-DOBOR  
Dave Smith-DOFAW  
Irene Sprecher-DOFAW

Kevin Moore-Land  
Alan Carpenter-Parks  
Sam Lemmo-OCCL

**OTHERS**

Dan Morris/AG  
Joe Lauzel/M11  
Presley Wann/E1  
Wally Ito/E1  
Cody Allen/D4  
Jon Pang/D1  
Sandra Pfund/D5  
Bruce Voss/J5  
Shale Shore/J6  
Leigh Wai Doo/K1  
Michelle Madison/K1  
Richard Turbin/K1  
Connie Mitchel/D5  
Mark Patterson/M11

Ross Smith/DOTA  
Chipper Wichman/E1  
Hoku Cabebe/E1  
Shalan Crysdale/C2  
Bob Stauffer/D6  
Tyler Green/D1  
Bob Stauffer/D6  
Carl Anderson/J6  
Fred Fong/K1  
Bill Saunder/K1  
Bonnie Fong/K1  
Ronald Sodo/K1  
Mertyn Chinen/M11  
Kimi Yuen/E-1

Chair Case called the meeting to order at 9:36 a.m. and announced that Item D-3 will not be heard today. She asked Member Gon to read the standard contested case statement.

**ITEM M-11** Consent to Five (5) Memorandum of Agreements between Department of Human Services, Office of Youth Services, and (1) Residential Youth Services and Empowerment, Inc. (2) Youth Build Waimanalo (3) Ku Ae Hou (4) Hale Kipa, Inc., and (5) Partners in Development Foundation for use of portions of Hawaii Youth Correctional Facility, Kailua Koolau, Oahu, Tax Map Key (1) 4-2-006: portion of 002.

*Mertyn Chinen*, Director of Office of Youth Services. *Mark Patterson*, Youth Community Correctional Facility. Provided background of request which is to establish the Kawaihoa Youth Center on the ground the Youth Correctional Facility in Kaneohe. This will assist with helping youth address and get past traumatic experience and to assist them in transitioning out of various youth programs and possibly homelessness. Legislation passed to enable this project.

Mark Patterson discussed reforms in addressing juvenile justice. Noted that there is a lot less incarcerated youth in the system. This new program will address areas where there are weaknesses in the program and will allow community partners to utilize the land.

#### Board Discussion

Gomes asked how many youth are served on the campus. Chinen said that about 75-100 kids that come from the community to attend Olomana School. Patterson said that the community uses the pools and baseball fields, including the high school teams.

Chinen noted that they do not provide services other than the 23-incarcerated youth. The program is sign MOA with agencies that will 1) manage the buildings and 2) provide services.

Roehrig expressed support.

Gomes asked about the acreage. Patterson noted that not all of the acreage is useable because it includes the mountain. He gave some background about the ranching operation and their cows. They still run an active herd. They also have permission to create a vocational program based on the ranch and farm. This will provide an option for kids in the gap between foster care that goes up to 18, and age 25 when they are technically no longer considered youth.

Yuen asked what is the land disposition before the Board. Chinen said that there may be either leases or MOAs. Yuen said that if there is a lease, it may need to come before the Board, but to

run services may not need to come before the Land Board. Yuen opined that it may be unnecessary to come before the Board for programs.

AG opined that it might be good to approve any changes in programs, but agreed that it might not be necessary. Noted that the staff submittal is structured as a lease request. He also noted that submittal requests a determination. Roehrig believes this is a fundamental change in what the land will be used for, so believes that the Board should review and vote.

Roehrig asked to review the Senate bill.

Public Testimony- None

**MOTION**

**Approve as submitted (Gomes, Gon) unanimous.**

**ITEM D-5** Amendment of General Lease No. S-6077 for Temporary Mobile Access to Services and Housing for Housing First Transition Purposes to Extend for Four (4) Years; City and County of Honolulu, Lessee; Sand Island, Honolulu, Oahu, Tax Map Key: (1) 1-5-041: portions of 130 and 334.

Russell Tsuji presented the submittal to extend lease for Hale Maui Ola homeless Navigation Center at Sand Island. Asking for a 4-year extension. Sandy Pfund here for the City.

Pfund introduced Connie Mitchell from HIS who presented milestones in affecting homeless population. Connie Mitchell, ED for I.H.S provided statistics for the facility.

Roehrig noted that this was originally controversial but they seem to be doing a good job.

Public Testimony- None

**MOTION**

**Approve as submitted (Gon, Gomes) unanimous.**

**ITEM D-4** Cancellation of Governor's Executive Order No. 4454 and Re-set Aside to Department of Transportation for (1) Airport and Related Purposes, (2) Harbors and Related Purposes, and (3) Highways Truck Weigh Station and Related Purposes, Issuance of Immediate Right-of-Entry; Mokauea, Kalihi, Honolulu, Oahu, Tax Map Keys: (1) 1-2-025:002, portion of 073, 074, 075, 108, 109, 110, 116, 119, 120, 121 and 122.

Russell Tsuji, Land Division, presented the submittal and noted that this is a DOT item. They are taking an existing EO and dividing it up between the three DOT Divisions.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approve as submitted (Gomes, Roehrig) unanimous.**

**ITEM D-2** Issuance of Right-of-Entry Permit to Big Island Resource Conservation and Development Council for the Purpose of Conducting Research on the Efficacy of Indigenous Microorganisms to Confer Resistance to Ohia against Rapid Ohia Death on State Lands located at Keonopoko Iki, Puna, Hawaii, Portion of Tax Map Key: (3) 1-5-009:009.

Russell Tsuji, Land Division presented the submittal and did not have anything else to add.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approve as submitted (Gomes, Gon) unanimous.**

**ITEM D-8** Issuance of Right-of-Entry Permit to Department of Land and Natural Resources, Division of Aquatic Resources for Aquatic Nuisance Species Harbor Monitoring Project Purposes at Honolulu Harbor, Kalaeloa Barber's Point Harbor, Nawiliwili Harbor, Kahului Harbor, and Hilo Harbor; See Exhibit A1 to A5 for locations.

Russell Tsuji, Land Division, conveyed that this is for a Division of Aquatics Resources monitoring project.

Board Discussion

Oi asked about jurisdiction at Nāwiliwili Harbor. Is Land Division responsible for the submerged land and DOT responsible for land based operations? Tsuji said that actually DOT is responsible for the land in the harbor.

Roehrig noted that some of the project is outside of Hilo Harbor.



Gon said he supports the project and believes it is very important and it is important to have sites outside of the harbor as well, so that they can measure how the harbor affects waters outside of the harbor.

Public Testimony-None

**MOTION**

**Approve as submitted (Roehrig, Gon) unanimous.**

- ITEM M-1**      Aircraft Parking, Steven Chaikin, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
  
- ITEM M-2**      Issuance of a Revocable Permit for Airline Carrier Operations, Mokulele Flight Service, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
  
- ITEM M-3**      Issuance of a Revocable Permit for Aircraft Parking, Pacwest Aerial Imaging LLC, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.
  
- ITEM M-4**      Amendment No. 2 to Concession Agreement No. DOT-A-17-0008 for the Purpose of Adding Office and Counter Space, On-Demand Airport-Based Shuttle Bus Services, Robert's Tours and Transportation, Inc., Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 001 (Portion).
  
- ITEM M-5**      Issuance of a Lease for Office Space and a Parking Stall, United States of America, Federal Aviation Administration, Daniel K. Inouye International Airport, Tax Map Key: (1) 1-1-003: 058 (Portion).
  
- ITEM M-6**      Issuance of a Revocable Permit for Aircraft Parking, Joshua C. Chitwood, Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
  
- ITEM-M-7**      Issuance of a Revocable Permit for an Area of Paved, Improved Land to Park a Storage Container for Aerial Mapping Equipment, Ground Imaging, Inc., Kalaeloa Airport, Tax Map Key: (1) 9-1-13: Portion of 32.
  
- ITEM M-8**      Issuance of a Revocable Permit for Curbside Check-In Counters in the Main Terminal for Airline Operations, American Airlines, Inc., Kahului Airport, Tax Map Key: (2) 2-3-08: Portion of 19.
  
- ITEM M-9**      Issuance of a Revocable Permit for Aircraft Parking, Maui Helicopter Academy Limited Liability Company, Kahului Airport, Tax Map Key: (2) 3-8-01: Portion of 19.

**ITEM M-10** Issuance of a Revocable Permit for a Storage Room in the Main Terminal, Lanai Resorts, LLC, Lanai Airport, Tax Map Key: (2) 4-9-02: Portion of 55.

Ross Smith, DOT-Airports did not have anything to add to Items M-1 through M-10 and was available to answer any questions.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approve ITEMS M-1 through M-10 as submitted (Gomes, Gon) unanimous.**

**ITEM E-1** Request Board review of Draft Master Plan for Hā'ena State Park; Recommend that the Governor accept the Final EIS for Hā'ena State Park Master Plan, Tax Map Keys No.: 5-9-01:22 (POR.); 5-9-08:01; and

Authorize the Chairperson to approve the Final Hā'ena State Park Master Plan following acceptance of the Final EIS by the Governor.

Curt Cottrell presented for State Parks Division. Requesting the Board to review the Master Plan for Hā'ena State Park and to recommend that the Governor accept the EIS. Noted that this has become more important since the Kauai flooding. Major theme for all Master Plans at all State Parks is to note that communities that use these parks are under siege by tourism. So, at this park, they are trying to reduce visitors to this park and thereby reduce impact to the park, community and to the resources.

Alan Carpenter, Assistant Administrator, State Parks, and Kimi Yuen, PBR Planner. Noted that this is a great opportunity to make changes on the North Shore. Thanked community members who participated in creating the plan. Noted that we cannot allow the pressure of an unfetter number of tourists to impact the communities of that place. Plan proposes to use services of shuttles that would be run by another entity. Conveyed that at this point in time, they can access disaster funding to implement some of the improvements. There will be an initial visitor limit of 900 per day, which will not include:

- Cultural practitioners
- Work groups
- Hula Halau
- Hunters

There is a plan to have a visitor education program for people before they enter the park. We will use adaptive management, so will adapt management systems as needed. Also, will establish a community advisory group.

#### Board Discussion

Case clarified that the approval request is to 1) recommend to Governor to accept Final EIS and 2) to Delegate Authority to Chair to Approve Master plan, after Governor has accepted EIS.

Carpenter presented a PowerPoint on the Park features and the Master Plan. Presentation included current pictures of flood effects.

Gon asked where is the water that feeds the park restrooms coming from? Part of county water supply.

Kimi Yuen presented major points of the EIS. We would like to submit to OEQC for publication and to the Governor for acceptance.

Gomes asked if there will be a Parks employee to monitor access. Carpenter noted that they received (3) new positions for Hā'ena/Napali from the Legislature. So, they are discussing where these positions can be deployed. But noted that Parks are not normally manned at night.

These are usually times when local people want access. Cottrell noted that they can collect entrance fees at this Park, so they may be able to add staff through fee collection. Parking will be managed by a public/private non-profit. Community preference is for it to be managed by a local non-profit.

Oi asked how the number of people will be managed? If (100) cars are allowed in, then that will allow for (400) people. Carpenter noted that (400) is below the capacity limit, but that there will be an advance purchase system that will limit the total number of people.

Oi asked how will they control walk-ins? Oi's concerned for the local residents and asked how they were going to handle those who do not have to pay fees (cultural practitioners, helpers, etc.). Carpenter noted that they are proposing a divided lot that will allow for non-fee-paying parking and keeping it available. Based on reservations and planning, they should be able to adjust the amount of fee parking available. The plan is working to address community/residents' concerns.

Gomes asked what was the dollar amount of damages from the flooding. Carpenter said about 4-million, including the Stream Ford and part of the Belt road inside the park that was damaged.

The funds were released to the counties, but cash flow to the State is still being worked out.



Cottrell noted that they have been directed to use the funds to also make the Park more resilient to future floods. For example, paving the parking lot with concrete rather than gravel.

Roehrig asked what portion of 100-million in emergency funds can be used to clean-up the Park and Park development? Carpenter said, 30-million for the highway. Parks gets about 5%. Roehrig asked what the legal process for accessing funds. Carpenter/Cottrell said that process is being worked out.

Roehrig expressed concern of funding for this plan and wanted to know how to tap into the emergency funds. Case pointed out that implementation of the plan is over time, and while they are positioning the project to be eligible for funding, there are a lot of projects in the mix. Oi concurred, and said that those projects that qualify will get funds. Roehrig wanted to see the emergency declaration.

Downing asked how many residents are in this area. K. Yuen said about (300), including Wainiha. Carpenter noted that the shuttle is envisioned to start at Kilauea lighthouse. Downing asked how long are people parking in the lot? Carpenter said the typical turnover is about (3) times a day, but noted that if they sell a parking ticket, then the spot needs to be available. So, they are working out parking. Maybe there will have to be times given for the parking slots. Tickets will be sold on-line. Downing likes the shuttle concept.

Member Yuen noted that the Board needs to be careful about some aspects. Noted that sometimes it difficult to manage by decree. What happens when people who were looking forward to visiting this area cannot get a ticket. He believes that the biggest management issue is the pullover parking for people who cannot get into the parking lot. However, there is no place to put parking in the park. Likes the shuttle idea. Suggested that people who use shuttle should get preferential access.

Member Yuen asked will the 900-person limit take an amendment to Administrative Rules? Carpenter said he did not think so, but that question is for the AG to answer. Noted that implementation of the management plan will take some time to implement. Member Yuen asked will there be accommodations for walk-ins? Carpenter replied, there is still much to work out.

Oi asked if they consulted with the DOT regarding the road from the highway leads into the gated parking? Carpenter replied, yes, they are very happy to give it to us.

#### Public testimony

*Chipper Wichman.* Hā'ena Resident and director of Hā'ena National Tropical Botanical Garden. Gave his history with the project. Noted that they are trying to return balance to the area so that residents can have a "nahenahe" experience. He supports the plan and acknowledged the hard work of Alan, Kimi and the community. Believes that the whole plan needs to be addressed, not just the parking issue. Shuttle is a key component of the plan. Noted that Uncle Tommy and



Uncle Jack Hashimoto were evicted from their Lo'i, and then the State did nothing creating the current environmental disaster.

Also, the current comfort station is over known iwi kupuna. Fishing access is very important. Plan addresses it in a feasible way. Protecting cultural access is a cornerstone of the plan. Emphasized adaptive management to allow State Parks to adjust to the reality of how the park and access to Na Pali is used. Noted that community has already activated and is restoring lo'i and created a fisheries management area. Hui Maka'āinana o Makana.

Roehrig asked if all the properties were private kuleana before State condemned it? Wichman said not really. Gave history of Hui Kua'āina o Hā'ena and there were (14) kuleana or Land Commission Awards. Hui was partitioned, which allowed the community to live in a traditional way until the 1960s. This was stopped through lawsuits and the courts partitioned the land which started the process to create the park.

Roehrig noted that farmers are also cultural practitioners. Wichman said they are already there. Noted that all land in the park is now all State land. He also said that within the hula tradition, this is perhaps one of the most sacred sites. So, there are layers of cultural practice in this area. Noted that the mandate for recreational use sometimes conflicts with cultural use, but believes that the plan addresses this conflict.

Roehrig asked how to ensure cultural practices in the lo'i? Wichman said that there are (2) community groups, and 'ohana council (family in Hā'ena before 1955), and Hui Maka'āinana o Makana to address community/traditional concerns.

Also, adaptive management will be very useful because it allows for changes. Plan commits State to working with these community groups. Roehrig asked if there are other 501(c)(3) s that need to be partners. Wichman said yes, and noted that Limahuli gardens, and the fishermen involved in the CBFA process.

*Kawika Winter*, Executive Director of Limahuli Gardens, Member of Hui Maka'āinana o Makana and community group. Supports Plan and commended Alan Carpenter. What happens to the 901- person who wants to enter the park? His understanding is he believes that they will look at a monthly average of about (900) and if the number is going up they will take measures to lower that number.

Wichman gave an example of how adaptive management can address this issue which is a combination of how many parking slots as well as how many people the shuttle drops off. Carpenter noted that even shuttle visitors will need a pass.

Case noted on the question of adaptive management, what we are talking about today is a plan, and the actual implementation steps will happen over a period of years, and some will be informal, and some will be formal, some may need rules, some may not. This is the direction, it

is very detailed, very well thought out and vetted. This is a plan, but we do not need all the answers now, we need to have the map. Case noted that this is the first time we are imposing a limit in a State Park. It will take a lot of discussion and the details will still need to be worked out. However, the point is to improve on the chaos that currently exists.

Member Yuen supports 900 visitors as a management target, but believes that the details are important.

Roehrig asked how can we delegate to Chair the approval of the Final Plan, if they do not know what the Final Plan is? He would like to put the conditions in now.

Carpenter explained the process. Roehrig asked if they can put conditions on the Draft Master Plan. AG said yes, it can be done.

*Katherine Nahokuokalani Cabebe*, Kama'āina of Hā'ena. Gave partial genealogy. Testified in support of the plan. Noted that she had not been in favor of the original plan, but supports this version. Hula dancer trained by Kia 'Ohana and Kumu Leina'ala Kalama Heine. She has danced for Hālau ka Lei Mokihana o Leinā'ala under Leinā'ala Jardine. She has talked to her 'ohana, who gave her their blessing to come today and testify in support. Noted that they need to access emergency funds to restore area. Supports having cultural access being put into plan. Noted that access for cultural practices during the early morning and evening hours is important. Believes that it will be worked out. We have a very strong community group that has been taking care of area since the flood.

*Presley Wann*. President, Hui Maka'āinana o Makana, Kuleana owner of Lo'i lands, descendant of Hā'ena. Supports Master Plan. Noted the extensive planning. Also noted that the fishing access is very important, especially early in the morning. Commended the work of Kimi, Alan, and Stanley from PBR. Has a small petition from people on the other side of the island in support, and also OHA Trustee Dan Ahuna. Provided petition to Chair Case.

*Wally Ito*, coordinator of Kua'aina Ulu 'Auamo (KUA). Also, an employee at Limahuli, but lives in Kalihi. Sitting in for Kevin Chang, who is KUA's Executive Director, stand on that testimony. Testifying in support. Provided story of personal experience at Hā'ena.

Oi mentioned at one time this was going to be a subdivision and he is glad it is a State Park.

Roehrig-in is in favor. Noted that in most parks local people do not have a stake in it. He would like to see the following considered for inclusion:

- 1) Advisee group of the local residents
- 2) Voice for lo'i farmers
- 3) Voice for fishermen of the area
- 4) Voice for PASH rights
- 5) Hula practitioners

Planning Group on how to get money released from the Emergency Declaration for use at the park.

Gon noted that this is a very important place across the islands for cultural traditions, and is glad that in developing the Master Plan that worked with the community to ensure to address the multiple layers of cultural importance of this special place.

**MOTION**

**Approved as submitted (Oi/Gomes) unanimous.**

*12:15 pm Recess*

*1:02 pm Back in Session*

**ITEM J-5** Authorize the Approval for a Rental Reopening Commencing Retroactively on July 30, 2014 and Ending July 29, 2024; for Boating Lease B-99-1, Waikiki Yacht Club, Situated at Ala Wai Small Boat Harbor, Honolulu, Oahu, Tax Map Key: (1) 2-3-37: 6 And 12 (Por.).

Ed Underwood, Division of Boating and Recreation. Did not have anything more to add.

Public Testimony-None

Board Discussion-None

**MOTION**

**Approved as submitted (Yuen, Gon) unanimous.**

**ITEM D-6** Approval of Annual Rent at \$9,416 and Denial of Request to Set the Annual Lease Rent at \$480 from February 1, 2018 to January 31, 2028 for General Lease No. S-5851, Windward Retreat Center, Lessee; Kaaawa, Koolaulua, Oahu, Tax Map Key: (1) 5-1-014:051.

Russell Tsuji presented for Land Division. Relayed the history of re-opening appraisal. Notes that they met with the Windward Retreat Center, who believe that a former Board agreed to keep their rent at no more than \$500/month or \$6000/year. They have also submitted a formal request to keep rent at \$480/month.

**Board Discussion**

Gomes asked what the tenant paid between 1995 and 2005. Tsuji did not know answer. Bob Stauffer, President and Brett Pruitt, Executive Director, Windward Retreat approached. Noted that it was surplus land from the Army in 1962. The Windward Retreat Center applied and got



authorization from the Board to use that land. They provided a check for \$800 in 1997 or 1998, but there was no agreement assigned. Check was provided in response to a letter from the Land Division. They had a Right of Access so they did an archaeological inventory survey. Lease was re-authorized in 2005. Question of whether or not nominal rent should be charged was raised because of OHA 20% charge. So, the Board agreed that they would not charge more \$500 per month.

Case wanted to know how much of use is religious and how much is for social and charitable uses. Noted that her personal feeling is that a rent reduction should be because they serve a community purpose that otherwise the State might have to do.

Brett Pruitt provided handouts, which has an answer to the Chair's question. Noted that (53) groups have used the Retreat Center. We had (18) churches, spiritual or faith groups. These are their top priority. The only other groups with a similar priority is community groups in Ka'a'awa, of which there are two. Another purpose for the project is to provide services for Red Cross/Emergency Services. Thirty non-profits. Four government agencies. Nine that fall under "other." Chart shows that they do serve a spectrum of the community. 80% is churches or non-profits.

Gomes asked what is their filing status. 501 (c) (3) Section 1-70-(b)(1)(a)(1), which is a religious exemption. Do not file a tax return under this 501(c)(3). Gomes would like to see their tax return or spreadsheets. Stauffer noted that no one in the organization is paid. They all serve as volunteers. Noted that they have about \$500,000 of improvements in the property. Noted that they lose money.

Case asked if all of the improvements have been amortized? Tsuji said the appraiser used a discounted rate, which came out to about \$9,000 per year, or less than \$1,000 per month. Current rent is \$480/year. 5,000 per month in mortgage. Propose that they factor in mortgage but noted that she is not comfortable with nominal rent of \$480 because they are not only doing non-profits. Suggest that they double annual rent.

Roehrig said that he believes that they should stay for free because they do important work. Yuen asked if the recommendation to go to fair market was based on the condition in the lease (no more than \$500/month). Tsuji noted that the lease is based on a non-profit discounted lease. Yuen wondered if it's worth it to spend money on an appraisal if the board is usually inclined to allow the discounted rate. Case suggested that the appraisal be discussed with the Board before it's done.

Tsuji noted that this item had been brought before the Board several times, and in the past, it has been contentious.

Case proposed \$80/month or \$960 per year.



Gomes would like to see financials if they come before the Board again.

***Amendment:***

***The annual rent set forth to \$960.00.***

**MOTION**

**Approved as amended (Yuen, Roehrig)**

**ITEM K-1** Reconsideration of Conservation District Use Application (CDUA) OA-3809 for the Shangri La Breakwater Safety Initiative and Shoreline Stabilization Project; and Right of Entry to State Submerged Land for Project Staging Area Located at Kūpikipiki'ō (Black Point), Kona District, O'ahu, Tax Map Key: (1) 3-1-041:005 and State-owned submerged lands.

Sam Lemmo presented for Office of Conservation and Coastal Lands. The submittal today is to, 1) Rescind denial of CDUP that occurred last month; 2) Approval for CDUP before the Board today; 3) Approve Right of Entry.

**Board Discussion**

Roehrig noted that there was a request for contested case, which was put in writing. He believes the Board does not have jurisdiction to hear this because of the contested case request. Based on the Mauna Kea Decision. Case noted that they have already reviewed the issue with AG who has communicated with the party requesting contested case. The party requesting the contested case has agreed to suspend their request for this hearing so that this hearing can be held to address procedural issues of the last Board Meeting.

*Yvonne Izu, representing Shangri La*, agreed that the applicant has communicated by e-mail to waive their right to challenge the procedural issues so that this discussion can be heard today.

Dan Morris, Deputy Attorney General, noted that page 2 of the submittal notes that the Applicant has waived their right to a procedural challenge for this hearing, and their Attorney has stated the same for the record. He does not believe the actual e-mail needs to be reviewed. Case said they will proceed. Roehrig objected.

Lemmo said that he will stand on the Staff recommendation.

Yuen asked if they have to do something formal first? Yuen, made the motion to rescind denial. He noted that the apparent vote was to deny, but that was not the intent of the Board. Oi second.

Lemmo noted that he received testimony from (3) individuals in opposition. Board members should have copies.

Oi noted that he thought he was voting to defer.

#### Public Testimony

*William Saunders*, submitted testimony in opposition to the merits of the submittal. He does not believe that the Board should move forward. The apparent discussion among Board members after the meeting may have violated Sunshine Law. He would like to preserve opposition to discussions. He also noted that this is a motion to rescind, rather than a motion to reconsider. He would also like to preserve his ability to oppose.

Roehrig commented that the Motion to Reconsider can only be made by a party who voted in support of the motion.

Yuen withdrew motion. Oi made a motion to reconsider the vote on denying Item K-1 CDUA OA. Yuen second the motion

Downing will not vote. Roehrig opposes. 5 remaining members voted in support.

*Yvonne Izu, Counsel, Conrad Ng, Executive Director*. Their concerns that Doris Duke Foundation for Islamic Art (DDFIA) did not consider alternatives. They provided some background on what came before the Board. Noted that it started with DDFIA asking Izu how to give the submerged land back to the State. Izu noted that she believed that the transfer may have been illegal to begin with, so she wasn't sure that the DDFIA actually did own the submerged land. Met with DLNR, who was reluctant to except ownership over the submerged land. Izu understood reluctance, which had to do with liability, so they then decided to work to make the property safer. They continued to work with the Department and noted that staff has been very helpful. The Goal is 1) make the area safer and 2) continue public access and recreation. Agreement was to make the least invasive improvements possible: 1) security 2) explicit signage; 3) fencing. Since none of the actions worked, they are before the Board asking to dismantle the seawall.

Roehrig noted opposition to Izu's testimony. Case noted that part of the discussion to defer was to ask for more information. So that is what today's discussion will address. Yuen said the wave study showed that there was not much effect if the dike remained. But that may not be true if there is no dike.

Izu noted that one of the engineers is here so he can answer the question. However, she noted that she talked to Dean Kokubun who said there is a six-inch difference in the wave height at the seawall if there is a dike or if there is no dike. Izu concluded by saying that this is the safest option which would allay the State's reluctance to exert ownership over

1938, DDFIA received title to submerged lands. Mrs. Cromwell wanted to build a boat basin so she petitioned the Government for submerged lands. She obtained land on the windward side (current Kailua beach park) and exchanged them to the territory for beach park purpose and received in exchange the submerged land in front of Shangri-La.

At least 3 people between 1969-2011 have been paralyzed or partially paralyzed. Also, there are weekly calls to EMS. They, 1) Challenge the ownership and 2) want to increase safety so that State would take back land.

Conrad Ng noted that this basin has no relationship to their mission. Noted that the DDFIA is not a Doris Duke home museum and not much is said about her. They would like the State to recognize its ownership of this property. He feels that this is the best option to make an area that has led to severe injury safer, while still allowing them to swim in the area.

Ng said, if the Land Board believes that this is private property, then they ask that it be treated like private property and allow the Owners to do what they want with it, and if they couldn't do what they want with it, then they would like to know that as well.

Yuen asked the Dean Kokubun to explain the wave modeling. If the seawall is removed down to the last layer of rocks and there is no dike what happens then?

Kokubun referred to Figure 17. Wave will diminish when it reaches the reef. Roehrig disagree with the analysis. Downing asked what is the buoy number. He also disagreed (vehemently) with the analysis. Case asked that the Board listen to the presentation.

*2:12 pm: Recess*

*2:25 pm: Back in Session*

It was noted that Member Downing will be watching the meeting from a monitor and did not return to the Board room

There was a discussion about wave height and strength in the basin. Yuen asked about how much of the time are these scenarios in effect. Kokubun referenced Figure 11 which is the summary of occurrences of waves from different directions. Case asked if that can put into plain language. Yuen said that in their study, under typical conditions there is not much effect if you have a dike that is at mean highwater. Even at high surf conditions there is a protected swim area in the basin. However, if dike is removed there will be considerable wave action in the basin. Case asked about the plan to go down to the level that they are talking about, and what if there is no dike? Kokubun responded, Alternate A, to remove riprap and dike is at Plus 6 sea level. Alternate B, is at mean sea level, and C, remove riffraff and there is no dike. Has the project been designed to do something else other than Alternative C? Kokubun said that he believes DDIFA would like to do Alternate C.

Izu said that the big swells do not happen that often, and when there are high swells no one swims there, so in their view, the ability to walk or stand on something that might be left over creates a danger, so their option is to go to the safer alternative.



Case asked if they are comfortable with a permit that does not allow for Alternative C, and if there continues to be a safety issue, they can come back.

Connor said that the alternatives are based on wave conditions and in Alternative C, no one is accessing the basin because of a dangerous walk. Do not want to preserve something that would lead to an additional hazard.

Roehrig asked are there studies that show that waves get smaller rather than larger. Because that is a crucial assumption being made for this modeling. Case wanted to clarify a misunderstanding.

The groin is 8-feet above mean sea level. Case noted that the wave height at the surf break is not the same height at the groin. Is the force the same? Kokubun noted that the wave energy diminishes significantly after the wave break and the wave approaches shore. Roehrig also disputed that people do not go there when the waves are big, because local kids always go whenever the waves are big.

Connor disagreed with Roehrig. He noted that the break that Roehrig is discussing is not at the basin, but at Coco Head. Also, since he is there, he hasn't seen anyone at the basin because they cannot access the rocky path.

Roehrig asked if they have explored certifying the shoreline and then quitclaiming it to the State. Izu noted that the State didn't like the idea. DDFIA is willing to give it back to the State, they do not want to sell it back to the State. Case asked if it would require Legislative authorization as an acquisition.

Case, if the Board does not agree to your proposals to make it safer, and then proposes to take the property back, it would still be unsafe. Yuen conveyed that, this has been used as a public recreation area. He understands why DLNR staff do not want to be responsible for this property in this condition and believes the City & County of Honolulu, would think the same. He also can see why public opposes proposal also.

Tommy Oi said he believes there is too much liability and so the State would not want to take it. He could see taking the wall down a little, but not putting rocks into the basin. Roehrig asked for clarification on what Oi would like to take down. Oi replied, lower the wall, but keep the rest of the footprint. Oi asked why don't they continue the fence over the groin?

Connor noted that their drive for this project is so that there are no more serious injuries. That is why they ruled out half measure alternatives. They want to end broken necks at this site. The State's claim is liability, but DDFIA is looking at safety.

Oi believes that if the wall is at elevation three, people will not want to jump off, because the wall is too low. So why not put the seawall on the front face of the walkway? Connor stated that



people are already circumvented measures that they have put up, thus the request for maximum measures. Some of the things that the public and Board are expressing what they would like to save can still be saved under this proposal.

#### Public Testimony

*Fred Fong*, neighbor. He has enjoyed the swimming in the area. he wants to refute the testimony of the engineer. He provided some history regarding the erecting the protective fence in 2014. He argued that the data from Environmental Assessment has used a skewed analysis. He would have preferred that they modify the fence and build a ledge to defer jumping.

Fong presented slides to dispute engineer's argument. Suggested modifications to the wall, but beveling it, also suggested modifications to the fence. He felt they could also finish the fence around the Diamond Head breakwater.

*Leigh Wai Doo*, urged the Board to let the denial stand and work out the issues. Come back with a full EIS and then decide. Opposed on procedural issues. EA says no need for shoreline permit, but the City says that one is needed.

*Bill Saunders*, disagreed with engineering report. Referred to testimony for specifics. Disputed EA. He is not opposed to the idea of the project, but is opposed to the idea of removing the outside breakwater. He agrees with Dr. Fong's ideas. Believes that the State should take over area and increase signage and then the State would not have liability that a private landowner would have.

*Michelle Matson* – President of Oahu Island Park Conservancy. Board objects to the proposed dismantling of the historic breakwater. It should be retained intact for public recreation. She believes the property should be returned to the State, and also has immunity with appropriate signage.

*Bonnie Fong* – opposed to demolition of the breakwater. She has submitted written testimony and would like to share results of petition. She said she had 320 comments and 1,300 signatures. She requests that DLNR deny the permit and work with neighbors. Submitted results of petition and comments into the record.

*Corinne Ching*, said the area is a historic site. Historic sites bind children to the past. Helps to visualize the past. Keeps the story of Doris Duke alive. Opposes proposal to tear down wall.

*Anna Lauren* – 8<sup>th</sup> grader at Punahou. Opposes demolition of breakwater.

*Derek Tsukayama* is a retired police officer. He is the Security manager at Shangri-La. He shared a story of a person who broke his neck after jumping into Cromwell's in 1969. Kanalu Young was his classmate at Kamehameha. He had to be carried up and down the steps. He showed a video

interview with Kanalu. He asked that we all find a way to live up to our kuleana and figure this out and do it for the right reasons.

Yuen asked if there is something about this site that gives people a peculiar urge to dive into the water. Tsukayama replied that it is like a private beach because of its seclusion, and it's a beautiful place, and also it is on social media. Noted that Dr. Fong's suggestions would not work and specified why. Part of it is to 1) jump off the wall; 2) scale the fence, etc.

Yuen asked where is the public access? Ng said, Jim Nabors property which is on the Waikiki side of the property. There is no real public access.

Motion: Roehrig made the motion to deny request and direct staff and all parties work together on another solution. Believe proposed solution makes the place more dangerous. Gomes second.

Gomes wanted more detail regarding the rocks that they want to bring in to fill the basin. Understands the concerns of the land owner and the community. Feels that the Board needs to see more community interaction.

Oi will vote against the motion. Wants the action deferred and the applicant to work with the public to look at other options.

4:15 pm: Member Downing returned to the meeting.

Roehrig would accept Oi's position as a friendly amendment. Lemmo said that they cannot defer because the clock will run out. Roehrig took back friendly amendment. Kept his motion in place. Downing apologized for his behavior. Voting with motion. Feels there is a better way to do this. If cooler minds prevail they can sit together and find a better way.

Yuen will vote to deny the CDUP. A lot of people have gained enjoyment over years, but there have been some tragic incidences. But not convinced that the proposed solution would lead to a safer situation. Partially the issue of not knowing condition of dike, and therefore not knowing what will happen if the wall is taken down. Not sure there is a solution, but doesn't feel all options have been explored.

Case will vote against the motion. Appreciates the importance of area, and historic importance. But this is a private property and there is no requirement to preserve it. It's an unsafe property and this landowner wants to take action to stop the possibility of serious injury. This is an unusual case in that, 1) it's a private property in the water and 2) the landowner wants to undo something that they built in the past. Doesn't see what legal or moral authority they have to deny this submittal.

Roehrig apologized if he offended anyone.

**MOTION**

**Denied (Roehrig, Gomes) 4/2. Motion carries. (Case and Oi opposed).**

*Yvonne Izu noted for the record that they will pursue their contested case.*

**ITEM J-1** Denial of Petition Filed by Henry K. Pomroy for Amendment of Hawai'i Administrative Rules Sections 13-231-67(a) and (d) (20).

Ed Underwood presented for Division of Boating & Recreation. Pomroy wants the ramp unlimited to commercial activity. DOBOR does not believe this is the correct thing to do.

Downing verified that the Rule Change went out to public hearing. At the time, Staff recommended (4) commercial moorings, and there were no comments on the number of moorings. Meeting was held in Hilo, not at launch ramp.

Roehrig noted that you cannot access Pohoiki launch ramp because its surrounded by lava.

Case noted that 80 homes have now been destroyed so our hearts go out to the people in Puna.

Public Testimony- None

**MOTION**

**Approved as submitted (Yuen, Roehrig) unanimous.**

There was a written request for a contested case hearing. AG said you cannot contest rules.

**ITEM D-1** Consent to Assign General Lease No. S-4878, Grant of Easement Nos. S-4244 & S-4645, and Land Office Deed Nos. S-12,850 & S-27,442, Coco Palms Ventures LLC, as First Assignor, to PR II Coco Palms LLC, as First Assignee/ Second Assignor, and from PR II Coco Palms LLC, First Assignee/ Second Assignor, to Coco Palms Hui LLC, as Second Assignee, Wailua, Kawaihau (Puna), Kauai, Tax Map Keys: (4) 4-1-003:005, por. 017, por. 039, and por. 044.

Amendment of Grant of Easement Nos. S-4244 and S-4645, and Land Office Deed Nos. S-12,850 and S-27,442, Coco Palms Hui LLC, Grantee, Wailua, Kawaihau (Puna), Kauai, Tax Map Keys: (4) 4-1-003:005, por. 017, por. 039 & por. 044, and 4-1-005:017.

Grant of Easement Nos. S-4244 and S-4645, and Land Office Deed Nos. S-12,850 and S-27,442 already exist. The purpose of amending the documents is to insert a provision allowing the easements to "Run with the Land," thereby becoming



assignable without the written consent of the Board of Land and Natural Resources. The easements will be appurtenant to and inure to the benefit of Coco Palms Hui LLC's private property identified as Tax Map Key: (4) 4-1-003:007.

*"Chair Case noted a request for Contested Case hearing (it was worded if the Board does not deny the assignments and easements). Chair Case said, it is not an active request at this time."*

Kevin Moore, Land Division presented the submittal. This is to assign an existing lease and grant of easements, and Land Office deeds for utility purposes that service private lands adjacent to leased premises.

#### Board Discussion

Roehrig asked if this had an assignment premium on this lease? Moore replied, we do not because it is an older lease form. Roehrig asked if the matter before the 5<sup>th</sup> Circuit Court? Moore said he was not aware, but the Applicant is present to address the question.

John Pang, Attorney for Coco Palms Hui, there was a lawsuit filed in the 5<sup>th</sup> Circuit by someone in Virginia. She is claiming violations of endangered species act. Nothing to do with the assignment of the leases. The Judge has decided not to hear it and is going to rule on the motions based on the pleadings. Roehrig asked if the Judge is going to rule on the Motion to Dismiss or Summary Judgement? Pang said he believed it was a Motion to Dismiss. Pang said he has not ruled, but expected it soon. One of the reason why he decided not to hear this is that this particular Plaintiff has filed these types of lawsuits across the Country. Pang said the bottom line is she has not filed in opposition of the request here.

Roehrig asked if there were any claims for Kuleana rights of claimers? Pang said he believed they were done. The initial litigation was there were people who claimed the right to occupy. The District Court on Kauai issued an Ejectment Order.

Roehrig asked if Title was an issue? Pang said the Court had to determine they did not have the right to be there. Roehrig said his understanding of summary possession, the issue of Title is not before the Court. If the Title is in dispute and there is a factual basis, the Court has to refer it to Circuit Court. Pang agreed with Roehrig.

Pang said the Judge issued the Ejectment Order not only on our fee simple property but also on the DLNR parcels. Roehrig said his concern in approving this consent to assign, is that we are not interfering with any on-going legislation before the 5<sup>th</sup> Circuit Court. Pang said Roehrig is correct. This has nothing to do with Title.

Pang said, there was a Quiet Title action filed by some of the people who were occupying including Mr. Liko Martin. That Order came out yesterday. The Action was dismissed with Prejudice. No one is claiming they own our interest in the leases. For them to object, they would



have to say, you cannot consent to the transfer to Coco Palms because they own our interest. If they want to say they own the land, they have to say they own the State's land, not our interest.

Oi commented, you want to take over these lease for landscaping, and maintenance purposes. It is all overgrown and his hope is that they will abide by the lease and maintain the property. Pang replied, now that the occupiers are gone, we can move forward.

Tyler Green, Coco Palms Hui, addressed Oi's concerns. Due to the occupiers aggressive behavior, they decided to go through the legal process of removing them before they began. They would be happy to walk him through the property.

Oi asked about the pump that is used when it floods. Green said that pump is no longer working, we will be repairing the pump. Oi asked do you have a completion date? Green said we have a target, about an 18-months depending on any other issues coming up.

Gomes commented that he was concerned that the lineal decedents right to title has been cleared up. Pang said that they have had researched done and expert testimonies by Title companies and had long searches even from lineal decedents.

#### Public Testimony-None

#### MOTION

**Approve as submitted (Oi, Yuen) unanimous.**

#### **Further Discussion:**

*Kevin Moore, Land Division mentioned that Russell Tsuji, Land Division Administrator, asked him to assert the Contested Case.*

*Dan Morris, Deputy Attorney General said that his understanding was that the written request said, if the Board rules in a certain way on this agenda item, that they would like a Contested Case and it was a conditional request. Now that the Board has made its action. Chair Case said it is now an active request and can we hear it after we hear the rest of public testimony?*

*Pang commented on the Contest Case request needs to be on the Consent to Assignment of Lease. His understanding is the person requesting the contested case is not claiming to own our leases. Their claim is to have some property interest in the State's land. He feels they do not have standing to contest the consent.*

*Yuen said that there is nothing to decide or discuss now. It was not submitted before we voted. His suggestion was to give to the AG's and they will give us a determination whether it is subject to a Contested Case hearing and they will bring it back to us to approve or reject on a future agenda.*

**ITEM D-7** Issuance of Right-of-Entry Permit to Hawaii Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display on Encumbered State lands off Ko Olina Beach on July 4, 2018, Honouliuli, Ewa, Oahu, Tax Map Key: (1) 9-1-057: seaward of 006.

Kevin Moore, presented for Land Division and had nothing to add.

Public Testimony-None

**MOTION**

**Approve as submitted (Downing, Yuen) unanimous.**

**ITEM J-6** Authorize the Issuance of a Direct Lease and Reduce Rent to Kaua'i Sailing Association for Sailing Purposes; and Declare Exemption from Requirements of Chapter 343, Hawaii Revised Statutes at Nawiliwili Small Boat Harbor, Nawiliwili, Island of Kaua'i, Hawai'i; Tax Map Key: (4) 3-2-03:043 (Por).

Ed Underwood, presented the submittal.

Board Discussion

Oi asked how the Revocable Permit will be treated. Underwood noted that the renewal for the RP will be canceled once the Lease is in place. Oi asked if Kauai Sailing Association would not have to pay until the Lease is approved. Underwood replied, that is correct.

Gomes noted that KSA was operating at a loss.

Public Testimony

Carl Anderson, Kauai Sailing Association & Shale Shore. They do operate at a loss on and off. They do a lot of charity in the community. Sometimes they make a little profit. Gomes said overall it seems that they are in the negative. Sharp replied, recently they purchased (2) new boats. Gomes said that answers the question.

Shore had questions regarding the lease. They would like to know if there were restrictions working with other organizations and she gave some examples. Gomes asked how many kids do they have in their program? Sharp said they have approximately (200), they do exchange programs as well.

Shore asked for clarification in regard to commercial activity as they do charge for their classes and we do need to hold fundraisers at the facility. Case noted that the intention is if it is for raising funds for non-profit purposes as opposed to Yacht Club sailing.

Shore asked for clarification on the recommendation of no Yacht Club activities. We wanted to make sure KSA could still hold run races and hold sailing events. Gomes asked if they had sponsorships? Sharp said they have grants and funding for the non-profit.

Shore asked if they could get a longer lease. They have a 30-year strategic plan. Underwood said that they could come back at a later time and ask for an extension if they add infrastructure.

Oi wanted to add under "Characteristic of Use", amend to add Community Outreach Purposes.

#### **MOTION**

**Approved as amended (Oi, Roehrig) unanimous.**

**ITEM C-1** Request approval of the Hōkū Nui Forest Stewardship Management Plan and Forest Stewardship Agreement with Hōkū Nui Farms LLC., Makawao, Island of Maui. Tax Map Keys No.: (2) 2-4-012:005, (2) 2-4-012:039, (2) 2-4-012:040, (2) 2-4-012:041, (2) 2-4-012:042, (2) 2-4-012:039-043, (2) 2-4-012:044, (2) 2-4-012:045, and (2) 2-4-012:046;

and

Request approval of Declaration of Exemption to Chapter 343, Hawaii Revised Statutes for the project.

**ITEM C-2** Request approval of the Kona Hema Forest Stewardship Management Plan and Forest Stewardship Agreement with the Nature Conservancy, South Kona, Island of Hawai'i, Tax Map Keys No.; (3) 8-8-001:001, (3) 8-9-001:001, (3) 8-9-006:030, (3) 8-9-006:031, (3) 8-9-006:033;

and

Request approval of Declaration of Exemption to Chapter 343, Hawai'i Revised Statutes for the project.

David Smith, Division of Forestry and Wildlife, presented Item C- 1 and Item C-2 together.

#### **BOARD DISCUSSION**

**ITEM C-1**, Gomes noted that he went to visit the farm (Eric and Andrea) to see the scope of the work and where they were going with to reforest. He looked at their plans and feels they are headed in the right direction and would like to support this project.

**ITEM C-2**, Gomes commented that there is a total of 8,072 acres, and we are looking at managing 4,021 acres to do this management program. What is going to happen with the other 4,000?



Irene Sprecher, DOFAW. They are part of the Forest Legacy Program, which is a US Forest Service acquisition program so they have a conservation easement for the entire property. Through that program and by having a conservation easement they are required to have a management plan in place. The State for the Stewardship program, we have an annual limit that we can offer certain projects and over the 10-year contract, what we can offer through the program. They are not able to come to us at this point for all those areas.

Gomes commented that we have had these type of programs come before us and wanted to know if there was a stipulation to provide annual reports? Yes, there are reports at 6-months and annually. She does site visits annually to verify the work that has been done.

Public Testimony-None

**MOTION**

**Approved as submitted (Gomes, Oi) unanimous.**

**ITEM J-2** Approve Installation of an Existing Offshore Mooring and Declare Exemption from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules, Mala Wharf Offshore Mooring Area, Lahaina, Island of Maui, for Lanny V. Daise.

**ITEM J-3** Approve Installation of an Existing Mooring within Puako Bay, outside of an Established Offshore Mooring Area, and Declare Installation Exempt from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules, Puako, Island of Hawaii, Hawaii, for Daniel Trumpy.

**ITEM J-4** Approve Installation of an Existing Offshore Mooring and Declare Exemption from Requirements of Chapter 343, Hawaii Revised Statutes, and Title 11, Chapter 200, Hawaii Administrative Rules, Lahaina Roadstead Offshore Mooring Area, Lahaina, Island of Maui, for Exact Game Fishing, Inc.

Ed Underwood, DOBOR presented Items J-2, J-3, and J-4 and had nothing to add to the submittals.

Board Discussion-None

Public Testimony-None

**MOTION**

**Approved as submitted (Gomes, Oi) unanimous.**

**ITEM J-7** Continuation of 29 Revocable Permits on the Islands of Hawaii, Kauai, Lanai, Maui, and Oahu; Various Locations and Tax Map Keys Statewide (see Exhibit "A" attached).

Ed Underwood, DOBOR. Requested for the continuation of the (29) revocable permits on the attachment. Noted that they took one off the list, because of back rent. They have since come into compliance and we will be bringing it to the next meeting.

Board Discussion

Downing asked about the ones that are pending current insurance that dates back to January. Underwood replied that these are being worked out by the Property Managers. We are implementing a new system and we are working through these.

Gomes, regarding Hawaii Petroleum (as an example). There are (3) Tax Map Keys, how do you determine the monthly rent? Underwood said they are looking at all of the fuel operations we have this low rent that has been out there for many years, there is the ½% tax per fuel gallon sold, we have never collected on that, they never hit their mark. Moving forward we have been in contact with all the fuel providers and just set a base rent. It is \$200.00/month.

Gomes asked how big of a footprint is it? Underwood said it was a fuel truck. Gomes asked if they needed a permit to on the service station? We are only giving them authority to go on and fuel the boat.

Yuen commented that you may want to treat this like a concession rather than a land disposition which would be more flexible.

Public Testimony- None

**MOTION**

**Approved as submitted (Gomes, Oi) unanimous.**

**MOTION TO ADJOURN (Gomes, Oi) unanimous.**

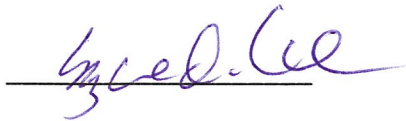
There being no further business, Chairperson Suzanne Case adjourned the meeting at 5:13 pm. Recording(s) of the meeting and all written testimonies submitted at the meeting are filed in the Chairperson's Office and available for review. Certain Items on the agenda were taken out of sequence to accommodate applicants or interest parties present.

Respectfully submitted,



Darlene S. Ferreira  
Land Board Secretary

Approved for submittal:



Suzanne D. Case  
Chairperson  
Department of Land & Natural Resources